

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**JOHN THOMAS DAY,** §  
§  
**Plaintiff,** § **CIVIL ACTION NO. 6:16-CV-00210-RC**  
v. §  
**COMMISSIONER, SOCIAL SECURITY** §  
**ADMINISTRATION,** §  
§  
**Defendant.**

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

Plaintiff John Thomas Day filed the above-styled and numbered civil action pursuant to the Social Security Act, Section 205(g), for judicial review of the Commissioner's denial of his application for Social Security benefits. The cause of action was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation concluding that the decision of the Commissioner should be reversed and the cause should be remanded to the Commissioner of the Social Security Administration for further proceedings consistent with the opinion of the Court. (Dkt. No. 16.) The Report and Recommendation of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration.

Neither party has filed any objections. Having reviewed the Report and Recommendation of the Magistrate Judge, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly **ORDERED** that the decision of the Commissioner is **REVERSED** and that the cause be remanded to the

Commissioner of the Social Security Administration for proceedings consistent with this Court's opinion.

So **ORDERED** and **SIGNED** this **8** day of **July, 2017**.



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Ron Clark, United States District Judge